

REMARKS

Preliminarily, Applicants respectfully request the Examiner to return initialed Form PTO/SB/08 A & B (modified) for the Information Disclosure Statement filed January 26, 2005.

Claims 1 and 3-17 stand rejected; and claim 2 is objected to as being allowable if rewritten in independent form.

Review and reconsideration on the merits are requested.

Claims 5-7 and 10-14 were rejected under 35 U.S.C. §112, second paragraph. The Examiner considered the terms “resultant interference color”, “resultant powder” and “genuine/counterfeit discrimination object” to lack antecedent basis. Also, the Examiner considered the claims to be indefinite as not clearly defining how the base particles are colored, and as to identity of the claimed “powder”. In paragraph 4 at page 3 of the Office Action, claim 9 was rejected under 35 U.S.C. § 112, second paragraph. The Examiner considered the phrase “can be identified” to render the scope of the claims unclear.

Claim 1 is directed to a genuine/counterfeit discrimination method, whereas claim 9 as originally filed is directed to a product. Claim 15 relates to a genuine/counterfeit discrimination device.

In response to the rejection, the claims have been amended to more clearly recite that the genuine/counterfeit discrimination object is a printed matter obtained by printing with a color ink composition comprising a powder of colored particles, that the powder is prepared by coating base particles with a multilayer film so as to exhibit color by means of light interference, and that the color ink composition is prepared by dispersing the powder into a dispersion medium for ink.

The recitation of claim 9 (as incorporated into claims 10 and 11) has been amended to recite that the genuine/counterfeit discrimination object has formed thereon for identification a combination of at least two patterns, and that the at least two patterns are discernible by subjecting the genuine/counterfeit discrimination object to an electric field, a magnetic field, an electron beam, an X-ray beam, visible light, ultraviolet light, or infrared light.

Additionally, as discussed in further detail below, claims 1 and 5 have been combined, and claims 10 and 11 have been rewritten in independent form. Claim 15 has been amended to incorporate therein the recitation of claims 1 and 2. Claims 5, 9, 13 and 14 have been canceled.

It is respectfully submitted that the claims as amended herein fully comply with 35 U.S.C. § 112, and withdrawal of the foregoing rejection is respectfully requested.

Claims 1, 3, 4, 9, 15 and 16 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 5,719,948 to Liang. Liang was cited as disclosing a method and genuine/counterfeit discrimination object substantially as claimed, including identifying a combination of two or more indicia selected from patterns generated from UV light and visible light. The Examiner further considered Liang as teaching the device of claim 15 including two devices for comparing detected identification patterns formed of visible light and UV light.

In response, claim 1 has been amended to incorporate therein the recitation of claim 5; claims 10 and 11 have been rewritten in independent form; and claim 15 has been amended to incorporate therein the recitation of claims 1 and 2, to thereby obviate the foregoing rejection. Withdrawal is respectfully requested.

Claims 1, 5-7 and 9-14 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 5,856,048 to Tahara et al. The Examiner cited Tahara as teaching a

genuine/counterfeit discrimination method, using a combination of infrared light and visible light reflected patterns identified on the object to further include printing with a color ink composition prepared by coating base particles with a multilayered film to exhibit color by means of light interference.

Applicants respectfully traverse for the following reasons.

As noted by the Examiner, Tahara et al teaches an object including hologram-recorded and printed layers which can be read by different types of reconstruction light having varying wavelengths, including, for example, a reflecting layer 5 that is transparent to infrared light but opaque to visible light and an infrared light-reflecting layer 9.

However, contrary to the Examiner's suggestion, the passage at col. 9, lines 40-53 is not a description of the base particles coated with a multi-layered film so as to exhibit color by means of light interference. Rather, Tahara et al discloses a block layer formed by printing an ink obtained by adding to vehicles a variety of pigments or dyes transparent to infrared light but not to visible light. There is no description or mention here of base particles, or base particles coated with a multilayered film, or base particles coated with a multilayered film so as to exhibit color by means of light interference.

Therefore, to clearly define over Tahara et al, claim 1 has been amended to incorporate therein the recitation of claim 5, and claims 10 and 11 have been rewritten in independent form. As such, claims 1, 10 and 11 require base particles coated with a multi-layered film so as to exhibit color by means of light interference, which limitation is not disclosed by the cited prior art.

Withdrawal of the foregoing rejection under 35 U.S.C. § 102(e) is respectfully requested.

Claims 8 and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Liang in view of U.S. Patent 5,138,604 to Umeda et al. Umeda et al was cited as disclosing the reading of an information pattern using an electron microscope (citing col. 19, lines 43-51).

Applicants rely on the response above with respect to the rejection over Liang alone. Withdrawal of the foregoing rejection is respectfully requested.

Withdrawal of all rejections and allowance of claims 1-4, 6-8, 10-12 and 15-17 is earnestly solicited.

In the event that the Examiner believes that it may be helpful to advance the prosecution of this application, the Examiner is invited to contact the undersigned at the local Washington, D.C. telephone number indicated below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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